



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DOCKET FILE COPY ORIGINAL

MAILED

NOV 14 2007

59796

FCC

DA 07-4376

October 24, 2007

INITIATION PLANS FILED IN WT DOCKET NO. 06-136

By this Public Notice, the Wireless Telecommunications Bureau (Bureau) announces the filing of Initiation Plans by American Telecasting Development, Inc. a wholly-owned subsidiary of Sprint Nextel Corporation (Sprint Nextel), Clearwire Hawaii Partners Spectrum LLC, Clearwire Spectrum Holdings, LLC, and Fixed Wireless Holdings, LLC, wholly-owned subsidiaries of Clearwire Corporation (Clearwire) regarding the transition of the 2500-2690 MHz band.

On July 29, 2004, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (BRS/EBS R&O and FNPRM)* that revamped the rules and policies governing the licensing of services in the 2500-2690 MHz MDS/ITFS band.¹ In particular, the Commission adopted a new band plan that restructures the 2500-2690 MHz band into upper and lower-band segments for low-power operations (UBS and LBS, respectively), and a mid-band segment (MBS) for high-power operations. The Commission also adopted a transition plan for relocating Educational Broadband Service (EBS) licensees and Broadband Radio Service (BRS) licensees from their current channel locations to their new spectrum blocks in the LBS, MBS, or UBS. Specifically, the transition occurs in the following five phases: (1) initiating the transition process by filing an Initiation Plan with the Commission; (2) planning the transition; (3) reimbursing the costs of the transition; (4) terminating existing operations in transitioned markets; and (5) completing the transition by filing the Post-transition Notification with the Commission and sending a copy to all affected BRS and EBS licensees.²

On April 27, 2006, the Commission released a *Third Memorandum Opinion and Order and Second Report and Order (BRS/EBS 3rd MO&O)* that, among other things, revised the transition area size from Major Economic Areas (MEAs) to Basic Trading Areas (BTAs).³ The Commission also determined that the transition can be undertaken by multiple proponents, and that the first entity to file an

¹ See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 03-66, 19 FCC Rcd 14165 (2004) (BRS/EBS R&O and FNPRM as appropriate).

² *Id.* at 14198 ¶ 74.

³ Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Third Memorandum Opinion and Order and Second Report and Order*, WT Docket No. 03-66, 21 FCC Rcd 5606, 5642 ¶ 65 (2006) (BRS/EBS 3rd MO&O).

Initiation Plan with the Commission is the proponent for a given BTA.⁴ Therefore, the first entity to file an Initiation Plan with the Commission shall automatically be designated as the proponent for a given BTA at the time it files, without any action required by the Commission or the Bureau, and the 90-day Transition Planning Period for that BTA shall begin on the day after the proponent files the Initiation Plan.⁵ In order to facilitate the availability of information for BRS and EBS licensees and lessees, however, the Commission directed the Bureau to release a Public Notice indicating when Initiation Plans have been filed with the Commission.⁶ Entities that wish to file Initiation Plans under the rules set forth in the *BRS/EBS 3rd MO&O* must file on or after July 19, 2006, the date these rules became effective, and before January 19, 2009.⁷

The Initiation Plan listed in the Appendix to this Public Notice was filed as described in the Appendix. Our records indicate that American Telecasting Development, Inc., Clearwire Hawaii Partners Spectrum LLC, Clearwire Spectrum Holdings, LLC, and Fixed Wireless Holdings, LLC are the proponents for the BTA(s), as of the dates the respective Initiation Plans were filed.

Copies of the Initiation Plans listed above, as well as other documents filed in WT Docket No. 06-136, may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at fcc@bcpiweb.com. These documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The documents are also available electronically through the Commission's ECFS, under WT Docket No. 06-136, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>.

By the Chief, Broadband Division, Wireless Telecommunications Bureau.

— FCC —

⁴ *Id.*, 21 FCC Rcd at 5652 ¶¶ 91-92; 47 C.F.R. §§ 27.1231(c), 27.1231(f).

⁵ *BRS/EBS 3rd MO&O*, 21 FCC Rcd at 5652-5653, 5659 ¶¶ 93, 107. *See also* 47 C.F.R. § 27.1232.

⁶ *BRS/EBS 3rd MO&O*, 21 FCC Rcd at 5653 ¶ 93.

⁷ *See* 71 Fed. Reg. 35178 (June 19, 2006); *BRS/EBS 3rd MO&O*, 21 FCC Rcd at 5658 ¶ 106; 47 C.F.R. §§ 27.1231(f).

APPENDIX - INITIATION PLANS FILED

Number	BTA Name	Proponent	Date Filed
BTA50	Boise-Nampa, ID	Fixed Wireless Holdings, LLC	10/2/07
BTA119	Duluth, MN	Fixed Wireless Holdings, LLC	10/16/07
BTA123	Eau Claire, WI	Fixed Wireless Holdings, LLC	10/2/07
BTA133	Eugene-Springfield, OR	Fixed Wireless Holdings, LLC	10/2/07
BTA154	Fort Walton Beach, FL	Clearwire Spectrum Holdings, LLC	10/2/07
BTA192	Honolulu, HI	Clearwire Hawaii Partners Spectrum LLC	10/16/07
BTA279	Marinette, WI-Menominee, MI	American Telecasting Development, Inc.	9/25/07
BTA288	Medford-Grants Pass, OR	Fixed Wireless Holdings, LLC	10/2/07
BTA302	Mobile, AL	Fixed Wireless Holdings, LLC	10/2/07
BTA343	Pensacola, FL	Clearwire Spectrum Holdings, LLC	10/2/07
BTA374	Richmond-Petersburg, VA	Fixed Wireless Holdings LLC	10/16/07
BTA458	Visalia-Porterville-Hanford, CA	Fixed Wireless Holdings, LLC	10/2/07